

1/ It was only on 20 February 1961 that the SG indicated, in an oblique statement to the Security Council, that he apparently considered that at the time of his arrest in December 1960 Lumumba did enjoy parliamentary immunity. The SG referred to accusations that his action on learning of Lumumba's arrest had been inadequate, stating:

I did take immediately (measures) in order to exert the pressure of the United Nations on the authorities to accord to Mr. Lumumba his full legal rights, including the recognition of his parliamentary immunity and, of course, his release, unless generally accepted legal steps for a fair trial were taken within a short time.

If the SG in fact had considered that Lumumba had parliamentary immunity, then he must also have considered that the arrest was illegal. He should have exerted the pressure of the United Nations for the immediate release of the victim of illegal arrest, not for "a fair trial...within a short time". In fact, his letter to Kasavubu dated 3 December 1960 did not contain a single reference to parliamentary immunity. A follow-up letter of 5 December 1960, conveying the concern of numerous delegations, does take up the principle of parliamentary immunity, but not in vigorous or insistent terms. In that communication, the SG described his first letter as a "strong appeal for application of due process of law".

In his statement of 20 February the SG protested that it was beyond his mandate and outside his practical means to take military initiative in order to liberate Lumumba. It is reassuring to note that in other cases the UN succeeded, with or without resort to military action, in achieving the liberation of prisoners and hostages. Two doctors from a Red Cross medical team were rescued by the UN at Lubero in February 1961; and, according to the New York Times of 18 December 1960, "United Nations troops freed an Austrian medical team after a six-hour battle with Congolese soldiers yesterday in Bukavu, capital of Kivu Province". The newspaper report indicated that UN civilian and military leaders had negotiated for 12 hours with the local authorities but had failed to obtain the release of the 52 Austrians; UN troops had then encircled the prison area and the six-hour battle had begun.

The Assembly, like the Security Council, was unable to adopt either of two rival resolutions submitted for its approval (one of which called for the immediate release of all political figures illegally detained despite parliamentary immunity). Lumumba continued to be imprisoned at Leopoldville, without the due process for which the SG had appealed in several communications to Kasavubu, until the middle of January 1961, when there were shocking new developments.

On the morning of 18 January 1961 the chief item of foreign news on American radio and television was the transfer of Patrice Lumumba from a prison in Thyssville to Elisabethville, in Katanga. The newscasters reported that on arrival, Lumumba was dragged from the plane in handcuffs and beaten unmercifully by white and African members of the European-commanded Katanga police, while a Swedish contingent of the UN Force looked on. One Swedish soldier was quoted as saying that the brutality was so terrible that he had been forced to avert his gaze, unable to bear the sight. Lumumba's condition was said to be "poor".

The transfer from Thyssville, 80 miles from Leopoldville, to Elisabethville in Katanga was by arrangement between Kasavubu and Tshombe, on the grounds that the jail in Thyssville did not offer sufficient security to guarantee Lumumba's detention. He was thus handed over to his greatest enemy, the secessionist Tshombe, in the Belgian-saturated province. The UN Force, at both the departure and arrival points of this nightmarish journey, seems to have been deliberately passive or utterly ineffectual in protecting the man who was regarded by a large segment of the Congolese population, and by many African and Asian countries, as the legal Prime Minister.

To anyone who happened to be out of touch with the world between the end of July and the middle of January, this ugly story must have seemed unbelievable. How could it be that after more than six months of the UN presence in the Congo the very man who had appealed for UN intervention and assistance against foreign troops invading his young country, who had appealed to the UN to protect the independence and territorial integrity of the infant State, was beaten to a pulp before the eyes of the UN troops who made no move to help him? What were those UN troops supposed to be doing there? And in what were those

Belgians--presumably the "technical experts" whose continued presence in the Congo had been repeatedly defended by the SG--instructing their African proteges?

According to the New York Times of 19 January 1961, "Swedish troops of the United Nations force in Katanga did not intervene to stop the beating Mr. Lumumba, Mr. Mpolo and Mr. Okito received here on their arrival from Leopoldville yesterday. The troops were under orders not to intervene in Congolese politics."

Here we see the doctrine of "non-intervention" in its quintessence: no longer are the fundamental human rights of the individual invoked, no longer does the UN Force exercise its military power "to protect political leaders of various factions from outright violence" (SG statement of 7 December 1960), but it stands idly by while in its presence the same man who sent the original appeal for UN assistance is being battered to the point of death, by those against whom he had appealed for that UN assistance. The UN Force stands idle (though one Swedish soldier had to avert his eyes from the sickening sight), because it is "under orders not to intervene in Congolese politics".

This excuse is peculiar enough, on the face of it, but it cannot possibly be reconciled with a declaration made by the SG on 18 September 1960 (S/4529) in a message to Mr. Tshombe in Katanga protesting the brutal repressive operations carried out against the Balubas. The SG condemned those actions as inadmissible infringements of human rights, mentioned that they raised the question of the disarming of military units, and emphasized:

It is the duty of the United Nations Force to protect the civilian population and this duty is in this case in no way restricted by the rule of non-intervention applied by the Force in relation to domestic conflicts.

Whatever one may think of Lumumba, he was distinctly a part of the civilian population and under the interpretation rendered by the SG above was entitled to UN protection.

It is true that the SG was not personally on the spot and it is probably no more than fair to say that if he had been, he would have authorized the UN Force to intervene and stop the brutal spectacle. What, in fact, was his reaction far away in New York? The day after the transfer, the SG wrote letters dated 19 January 1961 to Mr. Kasavubu and Mr. Tshombe (S/4637).

To Mr. Kasavubu, he indicated that grave concern had been expressed regarding the transfer of Lumumba to Katanga; he recalled his previous communications urging due process of law for Lumumba; he pointed out that the transfer involved a further interference with Lumumba's right to be tried without undue delay and his other rights, and that it violated the fundamental rule against transfer from the competent jurisdiction; and he urged Mr. Kasavubu to take immediate measures to have Lumumba return from Katanga and receive a fair and public hearing by an impartial tribunal. Neither in that letter nor in his letter to Mr. Tshombe did the SG mention, much less express any indignation about, the savage physical punishment to which Lumumba had been subjected. Rather, he blandly told Tshombe:

I am sure that, pending a decision in this matter, you will see to it that they (Lumumba and his companions) receive the humane and fair treatment to which they are entitled.

It is difficult to understand how, in the face of the vivid and horrifying accounts of the beating Lumumba suffered, the SG could react with such calm and detachment or voice so pious a hope. It is all the more difficult to understand, when the SG had reason to ask himself to what degree he personally might bear responsibility for the assault Lumumba had suffered. UN troops had done nothing to protect him. That being so, the SG's appeal to the man who was the engineer of the outrage was a futile and hypocritical gesture.

Mr. Tshombe's reply to the SG's appeal, on 1 February 1961, was noteworthy for arrogance and untruth:

I am quite astonished at the concern on the part of the United Nations in regard to an ex-Prime Minister who, incidentally, has been recognized as guilty of genocide by the international Organization...it is essential that the authorities of the former Belgian Congo alone should decide, without interference from the outside, what treatment he shall be given and what is to be done with him...I consider that for the time being, in the interests of restoring general calm, there should be no contact between Mr. Lumumba and the outside world.

Tshombe showed here that he was something of an ingrate. The UN had not made his political life difficult and he might have made some pretence of respect for the SG. Examining his text, we see that Tshombe neatly extricated himself from the embarrassing circumstance that he had accepted the transfer of Lumumba in spite of the fact that he claimed Katanga to be independent: while some might defend Lumumba's transfer from one province to another, it would be hard for even the best friends of the Kasavubu regime to defend a transfer to another country. This dilemma was neatly sidestepped by Tshombe, utilizing the unusual

formula of "the authorities of the former Belgian Congo". Of course, his contention that the UN had recognized Lumumba as guilty of genocide was completely false. The SG had implied that clashes between the Congolese National Army (under Lumumba's Government) and the Balubas in Kasai had raised the question of genocide, but he had abandoned that theme in its infancy; Tshombe's statement was pure fantasy. To round out his lies with arrogance, Tshombe revealed his contempt for the United Nations and for civilized standards of justice by the flat statement that he would permit no contact between Lumumba and the outside world.

On 19 January 1961 the President of the Republic of Mali cabled the SG requesting a further examination of the situation in the Congo by the Security Council and warning that:

Failure of the Organization to restore law and order in the Congo, that is to say, the normal functioning of parliament and the lawful Government headed by Lumumba, would seriously impair the prestige of the United Nations in the independent African States.

In a letter dated 22 January 1961 the Representative of Yugoslavia informed the SG that his Government was convinced that:

These grave new events in the Congo, while being in complete contradiction with the resolutions of the Security Council and the General Assembly...are a continuation and a part of the direct colonialist intervention in the Congo. But, at the same time, they are also a consequence of the inadmissible passivity of the United Nations Command in the Congo and of United Nations organs, which bear moral responsibility for the tolerance of outside intervention which was manifested most recently in the savage acts against the political leaders of the Congolese people.

For these reasons, the Yugoslav Government is of the opinion that the minimum which can be expected in the prevailing situation is that the United Nations organs in the Congo take Mr. Patrice Lumumba and the other mentioned persons under its direct protection.

The Security Council reconvened on 1 February 1961 to consider, inter alia, the transfer of Lumumba to Katanga carried out on 17 January. The SG was the first speaker in the general debate but in his major statement he barely mentioned the fate of Lumumba. Nor did he propose the freeing of all political prisoners as an action to be taken under the scope of the new authority he requested from the Council to enable him to neutralize the Congolese National Army and to keep it out of political life.

Other speakers, however, did devote themselves at length and in detail to the outrageous way in which the Kasavubu-Mobutu-Tshombe common front had dealt with Lumumba.

Mr. Maiga of Mali, speaking on 2 February 1961, said:

We are troubled and we are indignant at the treatment handed out to Mr. Patrice Lumumba. In admitting that Mr. Lumumba represents no authority as far as the United Nations is concerned, the Secretary-General should nevertheless have recognized that his mission was to safeguard Congolese life in the Congo, and Lumumba is a Congolese... It is agreed that the United Nations is there to protect civilians... (but) under their very noses, a man is arrested and is bludgeoned... several times, Lumumba was almost freed by his jailers. I prefer, in referring to this, to speak on the basis of the press rather than on the basis of the United Nations reports, which are delayed... when it is a question of Patrice Lumumba, everything is done in broad daylight, with correspondents and newspapermen and television and the entire apparatus that is necessary being called upon to intimidate the Africans by presenting the example of Lumumba, who sought independence for his country and the end of colonial domination.

Mr. Lumumba was sold by Mobutu so that Mobutu would be able to pay his mercenaries, who are ready to abandon him if he does not pay them. All these facts pile up, I repeat, quite openly, under the very nose of the United Nations Command...

This circus must stop. These actions discredit the prestige of this international Organization. The admission tickets to the circus are being paid for with the lives of Africans and threaten all that is human and great in the principles of liberty and individual rights...

We hold the Secretary-General personally responsible for the life of Mr. Lumumba.

Mr. Jha of India:

I would like to express the deep sense of shock and disgust felt by my Government and by public opinion in my country at the treatment to which Mr. Lumumba has been subjected.

Mr. Benaboud of Morocco:

We do not understand why the United Nations presence in the Congo remains passive and useless when faced by this dangerous spectacle. The inhuman treatment inflicted on Prime Minister Lumumba has stirred the wrath of the people against the hangmen.

The representatives of Libya, Yugoslavia, Guinea, and Indonesia addressed the Council at its next meeting, on 7 February 1961, and similarly expressed fury and disgust at the treatment to which Lumumba had been abandoned under the SG's "neutrality". The Council then adjourned for some days to permit members to obtain instructions from their Governments on various proposals which had been submitted.

On 9 February there was a rash of radio reports on rumours circulating in Elisabethville (Katanga) that Lumumba had been killed. Those rumours had the melancholy stamp of probability: the switch in the SG's position, the change in USA policy, and the heightened agitation of the Afro-Asian countries, seemed to presage a change in UN official policy that might afford some degree of recognition to Lumumba's claims to national office and political leadership. Such a development would, of course, greatly reinforce Lumumba as both the symbol and the instrument of defeat of any Belgian/European "presence" in the Congo and would pose a renewed and urgent threat to Tshombe. Obviously, then, the first thought might be to liquidate Lumumba.

But on 10 February came further radio reports of an astonishing nature: according to the Katanga authorities, Lumumba had escaped again! If they were to be believed, he and two other prisoners had overpowered their guards and taken off in a car containing enough fuel for a sixty-mile drive, and they were armed with rifles. Few students of the seven-month agony in the Congo failed to view this take with utmost scepticism and the grimmest foreboding. They now awaited the all-but-inevitable announcement that Lumumba had been shot while trying to escape.

5. The Death of Lumumba and the New Mandate

At 10 a.m. on Monday the 13th of February 1961 the grim forebodings of Lumumba's death were confirmed by world-wide announcements of the news that Lumumba, Okito, and Mpolo had been slain and their bodies consigned to an unmarked grave in Katanga. One hour later the Security Council reconvened and the SG immediately took the floor:

The Secretariat has this morning received information from Elisabethville of a most serious and tragic nature...Limiting myself to one immediate observation...I would express the view that the matter is of such a character and significance as to render necessary a full and impartial investigation. The representatives of the United Nations, in the first place, General Iyassu, have still not been received by Mr. Tshombe. I have instructed the General to stay until either he is received...or until he receives new instructions in the light of the position of this Council. I feel that an international investigation in an appropriate form is indicated.

Hammaraskjold was not, of course, an emotional man.

On the same date there was a statement from the Minister of the Interior of Katanga, Mr. Munongo, published in UN document S/4688/Add.1:

I should be lying if I said that Lumumba's death grieves me. You know how I feel about him: he is an ordinary criminal who is responsible for thousands of deaths...Mr. Hammaraskjold himself has said that the action against the Baluba of Kasai was nothing less than genocide...I am sure what the outcome of Lumumba's trial would have been: he would have been sentenced to death...Lumumba and his accomplices...have only themselves to blame: all they had to do was not to escape in such a strongly pro-Government region at a time when their own friends in the United Nations had whipped up the Katangan peoples to fever-pitch.

I am of course aware that the United Nations will say that the whole thing was a plot and that we murdered them ourselves. Such an accusation is inevitable...We shall be accused of having murdered them. My reply is: prove it...

Mr. Munongo, at least, was frank. He did not pretend grief. But in other quarters, the reaction to the news of Lumumba's death was neither as restrained as that of the SG nor as bland as that of Mr. Munongo. There were a series of messages from Member States, there were statements in the Security Council,

and there were riots in the major capitals of the world persisting over a period of more than a week--to say nothing of a riot in the Security Council chamber itself on the 15th of February. Some of the messages from Member States, quoted below, indicate the nature and degree of emotion aroused by the murder of Lumumba:

Upper Volta

Upper Volta has learned with indignant consternation of Patrice Lumumba's fate. We see in it a warning to all African States fighting for their independence...The massacre of Lumumba and his companions does not provide the solution that some persons thought they had found. We strongly protest against this violation of African dignity...We oppose murder as a political method even in the case of a man whose ideas we cannot share. (Cable from the President to the SG dated 13 February 1961)

Morocco

We have been roused to great indignation by the murder of President Lumumba and his two companions in captivity. We strongly stigmatize this odious act. This crime against African nationalism strikes a terrible blow at the prestige of the United Nations and the confidence in it manifested particularly by the newly independent States. (Cable from the King of Morocco to the SG dated 13 February 1961)

Cuba

...most vigorous protest for the vile assassination of Mr. Patrice Lumumba...The announcement of this horrifying crime, made by their very executioners, officially confirms with unprecedented cynicism the reasonable presumption of its occurrence which arose immediately the secessionists and traitors of Katanga announced the prefabricated flight of Lumumba and his companions...instigated by the Belgian and United States monopolies...to continue the economic exploitation and political domination of the Congolese people, with the obvious complicity of the colonial powers controlling the Security Council,

the tacit co-operation of the Secretary-General...The records of the many sessions of the Security Council...form one of the most shameful chapters in the history of the United Nations...The resignation of Dag Hammarskjold can be delayed no further...(Cable from the Minister for External Affairs of Cuba to the President of the Security Council dated 13 February 1961)

Yugoslavia

Lumumba has been foully murdered...Yugoslavia concludes that this hideous crime represents an attempt to legalize the lawlessness which has been consistently spreading in the Congo since the beginning of the armed action of Belgium...The responsibility for such a tragic course of events in the Congo is borne by all who, in spite of manifold warnings, permitted developments to take such a course...(Letter dated 13 February 1961 to the President of the Security Council)

Tunisia

This news has aroused my deep indignation...The story of the escape of Mr. Lumumba and his fellow prisoners really covers an odious crime perpetrated by the Katangan authorities...(Cable from the Secretary of State to the SG dated 14 February 1961)

Guinea

You will understand the profound indignation of the people and Government of Guinea at the heinous assassination of Prime Minister Patrice Lumumba and two of his ministers. This brutal assassination is an eternal stain upon the United Nations and places its Secretary-General in the forefront of those who have deliberately chosen to do away with legality in the Congo...This sorry drama in which you took a predominant part despite your repeated protestations dishonours you personally in the eyes of the embittered public of Africa and the world...You may be sure that the sinister method inaugurated in the Congo will not get the better of Congolese nationalism or the daily increasing determination of the African peoples to free themselves from the imperialism of which the United Nations through its Secretary-General has made itself the docile standard-bearer...(Cable dated 14 February 1961 from the President of Guinea, Sekou Toure, to the SG)

Mali

Profoundly indignant at the dastardly murder of President Patrice Lumumba, the Government of the Republic of Mali makes a formal protest to you at the manifest complicity of the United Nations in this macabre plot. This...is not the doing of the traitors Tshombe and Kasavubu: it is the culmination of the betrayal by the United Nations of the mission entrusted to it by States of good faith...Mali will always remember the odious action organized by the United Nations and the colonialist nations to weaken the Central Congolese Government and, at the end, to murder in cold blood...I inform you of the decision of the Government of Mali to express its distrust of the United Nations and of its Secretary-General, in the manner it deems most suitable, at the forthcoming convocation of the General Assembly. (Cable dated 14 February 1961 from the President of Mali to the SG)

Brazil

The Brazilian Government...expresses horror and repulsion for the circumstances involving the death of Patrice Lumumba. (Letter dated 14 February 1961 from the Representative of Brazil to the SG)

Liberia

President Tubman declared last night that the death of Mr. Patrice Lumumba...and two other leaders was a tragic, regrettable and despicable affair...the more unfortunate in that, because of political differences, a savage act should be committed by one African against another... (Statement by the President of Liberia issued on 14 February 1961)

India

The murder of Lumumba and others in Katanga is an international crime of the first magnitude...Unless immediate strong measures are taken against those who are responsible for this murder and who have consistently insulted and opposed the United Nations...the consequences are going to be very grave indeed...The feeling in our country is strong and unless effective steps are taken immediately it will be difficult for India to associate itself with policies which permit the perpetrators of these crimes to continue their gangster methods...(Message from Prime Minister Nehru to the SG transmitted on 14 February 1961)

Haiti

I deplore the death of Patrice Lumumba, the great leader...(which has seriously impaired the prestige of the United Nations throughout the world, and especially in Africa...(Cable from the President of Haiti to the SG dated 16 February 1961)

Togo

Infamous murder Patrice Lumumba has greatly aggravated situation in Congo and aroused grave anxiety among African States...(Cable from the President of Togo to the SG dated 17 February 1961)

Ethiopia

We are deeply shocked at the tragic events which have culminated in the assassination of Prime Minister Lumumba and his colleagues...In the face of this challenge it is essential that the United Nations act swiftly and decisively lest its prestige and position suffer irreparable damage. (Cable from Emperor Haile Selassie to the SG dated 14 February 1961)

Sudan

I condemn the atrocities committed...under the very eyes of the United Nations...Those responsible for this hideous crime must be exposed and punished...Close scrutiny of events in the Congo demonstrates that the intervention of the United Nations has so far not fulfilled its primary objectives...All this has led to monstrous massacres deliberately perpetrated and ruthlessly executed...The Republic of the Sudan cannot continue to participate in implementing ...United Nations resolutions pertaining to the Congo unless receive full assurance that the three objectives, namely the independence, territorial integrity and stability of the Congo will be realized within a definite period. Failing that assurance...Sudan will have to request the immediate recall of Sudanese troops now serving in the Congo. Their presence there under prevailing conditions does not serve the interests of the Congolese...(Cable dated 15 February 1961 from the President of Sudan to the SG)

In addition, a series of messages issued from the Soviet Union, Byelorussia, Czechoslovakia, and Romania which charged that "a foul series of treacheries" had been committed by Dag Hammarskjold against the Congolese people; that his activities constituted "a mockery of the principles of the Charter"; and that he was "an accomplice in and an organizer of the murder of the leading statesmen of the Congo"; that he had played an "iniquitous role...as an instrument of the colonialist Powers"; and that his whole course of action had been "one of vile betrayal of the interests of the Congolese people, of the principles of the United Nations and of elementary standards of decency and honour".

At the Security Council, after the announcement by the SG of the "most serious and tragic" news, Mr. Adlai Stevenson of the USA made a mournful acknowledgment:

This is distressing and deplorable news. The President of the United States...is deeply shocked...We in the United States regret these latest tragedies. In the face of all that has happened in the Congo, we hope that men of goodwill will everywhere join together with sober resolve not to seek revenge but to seek reconciliation...we earnestly appeal to all Governments to avoid any steps which might further aggravate or inflame the situation and to continue to give their full support to the United Nations and the success of its mission...

This was an extraordinarily stoic reaction to a cold-blooded and repugnant crime in which the role of the United Nations, of certain Governments, and of other parties was ambiguous, to say the least. Mr. Stevenson's remarks lacked the blaze of indignation, the spark of wrath, the thirst for justice, which such a cowardly and cruel assassination should have provoked. Mr. Stevenson had no harsh word for Katanga or its Belgian overlords; and in a major address two days later, he concerned himself largely with rebukes to the Soviet Union for its recognition of the Gizenga regime, for its threat of unilateral action, and for its "petulant attack on the Secretary-General". He said that Hammarskjold needed no defense, that his record was an open book and the record of a dedicated man whose only loyalty was to international justice and to peace. Just after those pious comments, a group of enraged spectators in the public gallery interrupted Mr. Stevenson's oratory by outbursts and fisticuffs which electrified the Council and the television audience. When calm was restored and the gallery cleared, Mr. Stevenson apologized for the "outrageous and obviously organized demonstration", to the extent that Americans were involved in it. (At last, the language of righteous passion!) As to the cause of the riot in the public gallery and the riots in a dozen cities all over the world, he had this to say:

On Monday, here in the Security Council, I deplored the reported death of Mr. Lumumba and his colleagues and supported the Secretary-General's request that his report should be included in the agenda and that the preliminary investigation should be continued. On every occasion when the arrest of Mr. Lumumba has been discussed in the United Nations, the United States has taken the position that he must be treated humanely and with all protection of law and order...during the past week we had advocated the release of all political prisoners...We continue to believe that this must be done for those political prisoners such as Minister Songolo, about whom the world Press has been less aware...

It seemed that Mr. Stevenson, like Mr. Munongo of Katanga, was not unduly grieved by Lumumba's death, judging from the virtual absense of passionate terms in a man so gifted in the use of language.

Mr. Zorin of the Soviet Union also made some preliminary remarks on the 13th of February and a major address on the 15th:

The hypocritical manoeuvres which have been taking place here in the Security Council during the past few days should now be clear to everyone. Under these manoeuvres meetings of the Security Council have been repeatedly delayed. On Saturday, when the Soviet delegation demanded a closed meeting of the Security Council, that request was denied--and at a time when there was a lack of any factual information on the situation in Katanga. Now we have a new report from the Secretary-General giving a version of the recent events which places those events in a tendentious light...

The Secretary-General now proposes that an investigation of this vile crime should be carried out...But it is clear to everyone today that the Secretary-General and the United Nations Command have brought matters to the point of this shameful crime by their actions in the Congo...Their proposals for an investigation sound hypocritical. I suppose that the Secretary-General will suggest that the very same United Nations Command or his own staff should be entrusted with this investigation. We have not the slightest confidence in the Secretary-General or in his staff in view of the events that have transpired...

Mr. Loutfi of the United Arab Republic also spoke at the meeting on 13 February.

On behalf of the people of the United Arab Republic, I wish to present my heartfelt and profound condolences to the Congolese people and to the families of those patriots who have fallen in the struggle for the independence of their country. I had the honour of knowing Mr. Lumumba here. I admired the love that he had for his country. I admired his ardent patriotism. This great African leader whose death we deplore today was the embodiment of African nationalism. Shame on those who perpetrated this murder and on those who aided or abetted them directly or indirectly.

On the 15th of February, Mr. Zorin had some unkind words for Mr. Stevenson as well as for the SG:

We have not seen in the statement of Mr. Stevenson any new attitude on the part of the United States Government. Unfortunately, we only noted many old attitudes and theses which, as is well known, have brought dire consequences in the course of events in the Congo...

If Mr. Stevenson has spoken today of the need to eliminate all military intervention, I do not understand why the United States does not propose to eliminate the obvious military intervention of Belgium in the affairs of the Congo. Why do they not state openly that they request the immediate withdrawal of Belgian military and paramilitary personnel and of all Belgian leaders and all Belgian troops who are committing aggression in the Congo...

Not having cared in the least for the fate of Lumumba, the Secretary-General personally facilitated---not to say more---the perpetration of the criminal acts against Lumumba of the Tshombe killers, acts which led to Lumumba's tragic death. Under the eyes of the United Nations Command, in January, Patrice Lumumba was delivered into the hands of his executioners. Under the eyes of responsible leaders and members of that Command, Lumumba was beaten, and they abetted his killing.

Confronted by these strong accusations of personal responsibility for Lumumba's murder and with a barrage of messages from countries not within the Soviet bloc which repudiated his policy in the Congo, the SG made a detailed analysis of his relations with Patrice Lumumba from the outset of UN intervention in the Congo. Again he denied any responsibility for the wretched fate of the man and the country. Despite everything, he continued to defend his policy as a whole and his individual actions and decisions, disclaiming both sinister intent and strategic error. On the face of it, it was an able defense of the policy which had been pursued by the SG. But the mortifying consequences of that policy remained ineradicably to haunt its advocate. The SG's statement contained a number of salient points, meriting meditation and careful analysis:

I wish to express our deep regret at the assassination of Mr. Lumumba, Mr. Okito and Mr. Mpolo. What has happened is a revolting crime against principles for which this Organization stands and must stand...

Mr. Lumumba...wanted the United Nations Force, on his behalf, to fight down the secessionist group in Katanga...I was obliged to turn down this request as contrary to the status and functions of the Force. My stand on this issue...was upheld by the Council.

On this issue, the SG was of course upheld by the Council, as he knew he would be. The real question is whether it was, in fact, the right stand, and whether a different stand strongly advocated by the SG might not have compelled the support of the Council as a whole. The stand he took ignored the fact that the secession of Katanga was Belgian-inspired and Belgian-supported and was not a genuine internal conflict. According to Lumumba himself (in a cable of 20 August 1960) the SG's refusal to provide to the central Government the military assistance it needed, because the Katanga provincial government opposed that, constituted not merely tacit recognition of the secession of Katanga but a flagrant violation of the Security Council's resolution of 14 July.

In view of the desperate necessity to get the United Nations Force into Katanga in order to achieve the withdrawal of Belgian troops from all over the Congo, I managed a breakthrough for the Force to Katanga, which made it possible to reach this result.

Needless to say, "this result" was never in fact achieved, for many months after the "breakthrough" the Belgians were omnipresent in Katanga and, in fact, in Leopoldville and elsewhere in the Congo.

As this move had not been discussed with Mr. Lumumba personally, he accused me bitterly of by-passing the legitimate Government.

Since the SG insisted on carrying out an action which was categorically opposed by Lumumba, since he did fail to consult him personally, and since that action failed dismally to meet the "desperate necessity" of achieving the withdrawal of the Belgians, the SG might at least have acknowledged the possibility that he had erred in judgment, rather than to claim an injured innocence to which he was not entitled.

Early (in) September, President Kasavubu and Mr. Lumumba each declared the mandate of the other null and void, and both positions were disapproved in a session of Parliament.

But early in September the SG gratuitously had declared that the President (Kasavubu) had the right to revoke the mandate of the Prime Minister (Lumumba), and had thus lent his influence and support to the fictional "authority" of Kasavubu and to the elimination of Lumumba from political power. His new version of those dismissals blandly ignored the old, and omitted any reference to the series of actions taken by the UN Command after Lumumba's "dismissal" which were predicated on the legitimacy of his removal from office (the seizure of the radio station and the airfields, and the denial of access to those installations to Lumumba). Rather, the SG skipped ahead:

Somewhat later, Colonel Mobutu...declared that he had, as he said, "neutralized" both the Chief of State and Mr. Lumumba. In the light of the principles applied by the United Nations as regards domestic conflicts, the instruction to the Command and the Special Representative was that they should stand aside from the conflict...and avoid any actions which could make them a party to the conflict or involve support to any one side in it.

Wearying though it is to repeat this still another time, the fallacy of this position is that the SG equated the legal Government, deriving authority from the Loi Fundamentale and the Parliament, with any dissident movement which happened to arise, whether in Katanga or Leopoldville, and persistently averted his eyes from the pivotal element--the foreign origin and support of these "strong-men" regimes and their lack of any mandate from the Congolese people.

Mr. Lumumba requested United Nations protection. He got such protection at the place of his residence, in keeping with the principles upheld by the Organization. While he was under protection, attempts to arrest Mr. Lumumba were stopped by the United Nations.

But the United Nations let it be known that they would not interfere to protect Lumumba outside his residence. When he asked for safe-conduct to another city, it was refused. At the same time, UN protection was extended to Europeans in another province unconditionally (as to residence) and they were offered safe-conduct and air transportation. The reasons for denying Lumumba the same protection have never been made entirely clear.

Mr. Lumumba escaped from his residence in a way unknown to the United Nations and travelled East, without any possibility for the United Nations to know where he was and thus without possibility for the Organization to give him protection.

This was sheer sophistry, since Lumumba had asked for UN transport to take him to his baby's funeral in another city and had been denied, and since "ONUC had repeatedly assured the Congolese authorities that...it could not assume any responsibility for his protection or that of other personages outside their precincts" (document S/4571). It was not ignorance of Lumumba's whereabouts but UN policy which deprived him of protection.

Mr. Lumumba was brought to Katanga. His departure was entirely outside the control of the United Nations organs. His arrival in Elisabethville was witnessed from some distance by a few United Nations soldiers, far outmanned by the Katanga forces and without any possibility of interference.

It would be interesting to know from what distance (one Swedish soldier who was interviewed by the press immediately afterwards said that he had had to avert his eyes as he could not bear to watch the brutality) and how few. The reason for not interfering as given by the UN Force on the spot, and immediately afterwards, was "orders not to intervene in Congolese politics". The precedent established in Leopoldville, in December, where Lumumba was publicly humiliated and manhandled without UN intercession, might also have been cited. And it cannot be said that the UN Force lacked numbers on that occasion.

I did not make any special efforts for our own representatives to see Mr. Lumumba while at Katanga, as at that stage the Conciliation Commission...were going to do so when they visited Katanga.

That was not a very persuasive reason for the lack of effort to ensure that UN representatives saw Lumumba. It should have occurred to the SG that this seeming indifference on the part of the UN Force might encourage the Katanga authorities to further brutal and murderous treatment of Lumumba and his two colleagues.

This is where we stood when on the morning of 10 February the authorities in Elisabethville announced that Mr. Lumumba, as they said, had escaped ...in various ways it was impressed on the authorities that the Organization attached the greatest importance to the protection of the life of Mr. Lumumba...the instruction was that if Mr. Lumumba were to seek protection from any United Nations unit, he would immediately be granted asylum...

These are the main steps on the road, and it does not seem to me to ask for too much if those who now talk about the responsibility of the United Nations, and more especially of its Secretary-General...are requested to state clearly when and how representatives of the Organization did not use all the means...at their disposal, in accordance with the mandate...

I know that it will be said, as it was a week ago by the representative of the Soviet Union, that I maintain that we in the Secretariat have made no mistakes and that all responsibility rests with others. Members are all aware that I did not say so then, and that I do not say so now.

It is true that the SG did not say in so many words that he had not made mistakes. However, he did on several occasions blame the Congolese leaders, and Member States, for the problems and disappointments that piled up on each other and that he repeatedly insisted that the UN operation in the Congo was not a failure, despite the progressive deterioration of the situation there. And if he now made this general acknowledgment of his fallibility, he did not specify which decisions of the Secretariat had been mistakes, not to say disasters.

It is ironic for us, who have been guided solely by the interest of the Congo and solely by the wish to develop the practices of this Organization in a way which may lay a foundation for future international co-operation, to be attacked by those who pursue entirely different aims, mostly only too easily discernible, and for that purpose find it useful to undermine the confidence in the Organization by claiming that we act against the interest of the Congo and against the principles of the Charter.

The facts as recalled, and as easily verified from the records of the United Nations, obviously do not provide a basis for the attacks of the Soviet Union...

Instead of dealing with the specific charges, the SG resorted to the classic technique of impugning the motives of his critic, the Soviet Union, and dispensed with a whole body of sticky questions and accusations by the simple expedient of attributing sinister designs and evil intent to the accuser. He employed, it may be noted, the familiar righteous tone and vocabulary of the U.S. State Department. What of the other critics? Surely the SG did not intend to suggest that Indonesia, Morocco, Ghana, Sudan, India, Ceylon, Yugoslavia, and Ethiopia came under the Soviet umbrella or that they "pursue entirely different aims" from the virtuous objectives he claimed for himself. If he had attached suspicion to the aims or integrity of those countries, he would not have appealed to them, in the first instance, to provide troops to the UN Force in the Congo. Those countries, in fact, formed the hard core of the UN Force and had made prolonged and patient sacrifice to support the UN effort in the Congo. Their criticism and, in some cases, repudiation of UN policy corresponded to greater or lesser degree with that of the Soviet Union. That the SG elected to single out one critic from the group of many and to stigmatize its motives in itself suggests a lack of that very neutrality which he claimed to have exercised in the Congo and which, in a broader sense, is the prime prerequisite of the conduct of the office of Secretary-General in an era of cold war.

For seven or eight months, through efforts far beyond the imagination of those who founded this Organization, it has tried to counter tendencies to introduce the big-Power conflict into Africa and put the young African countries under the shadow of the cold war...It has done so at the cost of very great personal sacrifices for a great number of people. In the beginning the effort was successful...We effectively countered efforts from all sides to make the Congo a happy hunting ground for national interests...very many Member nations have not yet accepted the limits put on their national ambitions by the very existence of the United Nations...

The SG then proceeded to outline "measures which must be pursued with vigour and courage" in the Congo under the circumstances which prevailed. He suggested an investigation of the assassination of Lumumba, Okito and Mpolo; the use of force to protect the civilian population against various armed units, although that was "on the outer margin of the mandate"; the use of all means short of force to prevent armed clashes between rival armed units; the reorganization of the Armee nationale congolaise and its disengagement from political affairs; and the elimination of the Belgian political element in the Congo. His last point of priority was also the last point of priority in the plan of action advocated by Mr. Stevenson of the USA. But the elimination of the Belgian presence was the first and foremost step advocated by the Soviet Union. Lumumba, in a press conference held at United Nations Headquarters in August 1960, had devoted a whole hour to repeated demands for the expulsion of the Belgians. Subsequent events seemed to vindicate Lumumba's obsessive focus on the Belgian factor. Yet even as late in the day as February 1961, some parties continued to minimize the Belgian role.

The statement made by the SG was immediately hailed by commentators on the American news media as a historic document of the greatest magnitude and as a smashing rebuff to the Soviet Union. Hammarskjold also received immediate praise and support from some speakers in the Security Council. Mr. Tsiang of China said:

In the Congo Mr. Hammarskjold has done his best to prevent the brutalization of politics in that country. He has not always succeeded. The responsibility for the failure, however, is not his. He has had a limited mandate with even more limited means ...I have not seen--I would welcome--any evidence that Belgium had any part in the final killing of Lumumba and his two associates. Belgian activities in the Congo may be criticized, but if the Government of Belgium is to be accused of sharing the responsibility for this brutality, I say that the Security Council should at least require proper evidence--and that we have not had. This whole lurid story--the arrest, the escape, the transfer and, finally, the death --seems to me to be very un-Belgian...

Mr. Schweitzer of Chile:

If we carefully analyse the actions of the Secretary-General we shall find proof that he has acted with moderation, with determination and with serenity, fully interpreting our agreements, without noting in his conduct any hidden motive or any inspiration alien to his high duties and functions. Because of the circumstances themselves, the mandate entrusted to him by the Council was precise and limited, and we believe that he carried out that mandate with integrity, sacrifice and devotion unstinted.

Mr. Benites of Ecuador:

The murder of Patrice Lumumba and his colleagues...was a monstrous crime. To paraphrase Talleyrand, I would say that it was worse than a crime, it was a mistake...We have previously stated that we believed in the fallibility of the Secretary-General and in his human susceptibility to error. But we stated before, and we repeat today, that nothing authorizes us to doubt the high moral qualifications and the integrity of the conduct of Mr. Hammarskjold...we believe it our duty to state that it is a most reprehensible injustice to put him in the dock by calling him a lackey or by dressing him in the bloody mantle of an executioner...

Mr. Diallo of Guinea, unlike the preceding speakers, was not impressed by the historic speech made by the Secretary-General:

The grave events that have taken place...prove that we were not heeded and that our cause, that of freedom, was betrayed. Africa takes note of this. It will know how to react and how to face its historic responsibilities with honour and dignity...In our statement in the Security Council on 7 February we pointed out clearly and carefully the identity of those whom the African peoples believed to be personally responsible for the life of Patrice Lumumba. In our view, there can be no shadow of doubt in this connexion...there is the Secretary-General of the United Nations, whose personal responsibility is total in the eyes of the Government of Guinea and of all thinking Africans...As to the executioners who are rubbing their hands in Brussels, Paris, London, New York and elsewhere, and those African executioners in Leopoldville, Brazzaville and Elisabethville, we declare solemnly what they already know: they shall not escape the inevitable and pitiless verdict of the Congolese people and of the Africans as a whole...there is no need to undertake a lengthy investigation to find out who the culprits are--unless cynicism is to be pushed to the limit, which would be to give to the criminals themselves the tasking of unmasking themselves...we expect from Mr. Hammarskjold the gesture of honour and dignity which is required after the failure of his mission in the Congo, and in the interests of all Africa...the Government of Guinea...waits...an unequivocal choice between Africa and its executioners, between liberty and colonial enslavement, between our thirst for dignity and the petty and sordid interests of our oppressors...those who are not with us must take the grave responsibility of being against us.

Mr. Maiga of Mali:

We no longer have any confidence in the Secretary-General of the United Nations, and his resignation will be welcomed. We hope for it.

Mr. Lewandowski of Poland:

There are at present only two real forces in the Congo, first the Congolese people and their national leaders and second the colonialists together with those who are ready to serve their interests. These forces are clashing in a most powerful conflict and no one can call that conflict an internal one, constitutional or otherwise...

The resolutions approved last summer by the Security Council gave the Secretary-General a sufficient mandate...But it is true that the Secretary-General chose not to implement it and to refuse to give the assistance requested by the Central Government of the Congo...we have heard from him that the main principle...is neutrality and non-interference in internal conflicts. But are the things which are taking place in the Congo internal conflicts? If this is true, why was the United Nations Force there at all?...

Mr. Hammarskjold...shielding himself with alleged neutrality, in fact favoured and helped the forces acting in the Congo on behalf of its former colonial rulers...Events show unambiguously the co-responsibility of Mr. Hammarskjold, as Secretary-General, for the tragic events in the Congo.

Mr. Guirma of Upper Volta:

The Upper Volta deplores the weakness of the United Nations which is impotent despite a good Charter to guarantee the independence and security of the small nations who wish to free themselves from the oppressors' yoke. Who will now call on the United Nations for help if patriots are massacred six months later under the eyes of the United Nations by the very same people against whom the aid was requested?...If the United Nations is in danger in the Congo, it is the Western Powers who have put it in that position in covering up for Belgium, their ally, which does not want the Congo to be independent.

Mr. Wijegoonawardena of Ceylon:

The answer in our view lies...in the Security Council's giving a clear and detailed mandate regarding the United Nations mission in the Republic of the Congo so that there would be no more room or opportunity for any kind of vacillations and possible deviations from the objectives for which the United Nations operation in the Congo has come in for criticism...while there have been instances of unsatisfactory functioning of the office of the Secretary-General, we also have to accept the fact...that we ourselves also have to share our part of the blame for any unsatisfactory functioning.

Mr. Adeel of Sudan:

If those things are allowed to continue and if full assurance is not forthcoming that the primary objectives of the United Nations action will be realized within a definite period of time, then the Sudan Government will find itself constrained to excuse itself from participation...and may find it imperative to request the recall of Sudanese troops now serving in the Congo.

With these and similar statements, the Council reached the end of its meeting on Friday the 17th of February 1961 with a disagreement about the time of the next meeting. Sir Patrick Dean of the UK, supported by Adlai Stevenson,

proposed that the Council should resume on Monday the 20th; Liberia, the Soviet Union, and Ceylon protested angrily against the "continued delays on the part of the Council". They urged round-the-clock meetings, or some variation thereof, in view of the urgent need for action. Mr. Zorin of the USSR cautioned:

Delay can only lead to new events, and I fear new casualties, as happened, incidentally, when the majority of the Security Council denied the request of the Soviet delegation of a meeting...last Saturday, when we requested an urgent meeting of the Security Council.

However, proposals for an earlier meeting were voted down and the next meeting was scheduled for Monday the 20th by majority vote (Chile, China, Ecuador, France, Turkey, the UK and the USA voting in favour).

That meeting opened with a statement by the SG informing the Council that six ministers of the Lumumba central Government, deported to South Kasai by Kasavubu, had been executed.

I bring this news to the knowledge of the Council with revolt and shock...I would use much strong language...For personalities with which the United Nations has to deal in a country to which it has tried its utmost to bring assistance, it should be inconceivable to flout in this way basic values upheld by the Organization. For the Organization, itself, it is humiliating and corroding to be confronted with such acts...(and)...to recognize its powerlessness in the face of policies coldly disregarding its efforts and the principles on which they must be based.

Adlai Stevenson also expressed shock, revulsion and indignation, and said that the new violence served to emphasize again "the imperative necessity of early and effective action by the United Nations". Mr. Zorin said that his worst fears had been materialized, reminding the Council that he had warned against every day of postponement on the previous Friday. Mr. Jha of India received the news with "the deepest sorrow and anxiety and...with a deep sense of shame".

The call must go out from the Security Council to the Congo and all over the world that this world Organization is not prepared to put up with evil and tyranny and lawlessness and political assassinations which have become the order of the day in the Congo...I think that the Security Council has to vindicate itself. We have been far too long dilly-dallying over this problem. Let us be firm and definite and clear for once.

Many other speakers took the floor before the Security Council proceedings of 20 February 1961 ended at 4:20 a.m. the following morning, reflecting a variety of opinions about the causes and cures of the desperate situation at which the Congo and the UN itself had arrived. Three main proposals were put to the vote, of which only one was adopted.

First, a Soviet resolution calling for the dismissal of the Secretary-General and the termination of the UN operation in the Congo was rejected by a vote of 8 to 1 with 2 abstentions.

Later, a resolution was sponsored by Liberia, Ceylon, and the United Arab Republic under which the Security Council would condemn the lawlessness and assassinations in Katanga and Kasai by "persons in high places"; call upon the authorities in Leopoldville, Elisabethville and Kasai "immediately to put an end to such practices"; call upon the UN authorities in the Congo to use force (as a last resort) to prevent such outrages; and institute "an impartial investigation to determine the responsibility for these crimes and punishment of the perpetrators". To this text Mr. Stevenson formally proposed to add references to Stanleyville, on the ground that violations of human rights had taken place there too, in a move which Mr. Zorin analyzed in the following terms:

One attempt after another has been made to eliminate from the text the mention of the concrete events which actually brought the matter to the agenda of the Security Council today...This morning voices were heard deploring those events and calling for immediate steps, voicing (speaking of) intolerable acts of violence, and so on and so forth. Now, on what is actually the next day, we cannot seem to adopt this draft resolution because some representatives wish to exclude precisely the concrete facts which we are discussing. They want to condemn all violations of human rights and all the sins under the sun...This is a totally unworthy attempt to avoid condemnation of what you condemned this morning...It is time to stop these games with little amendments which are merely designed to hide the essence of the matter under a smokescreen...we should immediately pass to the vote...so that the Council may know who is in favour of condemning these outrages and who is in favour of covering them up.

The resolution as originally proposed (without mention of Stanleyville) was rejected, thanks to the abstentions of China, France, Turkey, the UK and the USA.

Finally, the Council did adopt a third resolution, sponsored by Ceylon, Liberia, and the United Arab Republic. This resolution authorized the use of force, as a last resort, to prevent civil war in the Congo; urged the immediate withdrawal of all Belgians and other foreign military or paramilitary personnel and mercenaries; called for an immediate impartial investigation of Lumumba's murder and the other crimes, and the punishment of those responsible; urged the convening of the Congolese Parliament, and the reorganization and removal from politics of Congolese armed units; and called on all Member States to co-operate and assist in achieving these objectives.

The Soviet Union abstained in the vote and Mr. Zorin explained that he had not vetoed the resolution despite its weakness and failings because of the importance attached to it by the African countries and because it did at least contain "a concrete decision against the Belgian colonizers".

The SG "strongly welcomed" the resolution as giving "a stronger and more clear framework for United Nations action although, as so often before, not providing a wider legal basis or new means for implementation". Apparently the SG remained troubled about legalistic niceties and unduly preoccupied with the exact letter of his writ. If, like some countries with a colonial past, he had had a clearer understanding of the overriding political and moral realities in the Congo, together with the fidelity and goodwill he proclaimed, he might have conceived his mandate in terms that would have prevented the dreary sequence of events and the resultant mortal danger to the United Nations. The Prime Minister of Ceylon, a country with recent experience of colonial rule, had that profound yet simple understanding.

We have always looked upon the Congo as a colonial problem and have taken the view that Mr. Lumumba represented Congolese nationhood and Congolese unity. In a larger context he has appeared to us to symbolize the new forces in Africa and the aspirations of the emergent people of that continent...the young Republic did not have the material means...to deal with the breakdown of law and order which followed (its) setting up...The military assistance which was to be provided by the United Nations at the request of the Republic could not have had any other purpose except to consolidate and stabilize the lawfully elected Government and the constitution on which it was based. It is still, therefore, very much...a puzzle to us how the United Nations could in a conflict between a legitimate and progressive Government on the one hand and factional and divisive forces clearly instigated and fostered by foreign, colonial and other vested interests on the other, have elected to stay neutral...

Neutrality and non-intervention must surely be wrong if the results are what we have now in the Congo--the Prime Minister who called the United Nations forces brutally murdered by forces against whom the United Nations will not move or act and whose lawless deeds can only be watched because it would conflict with the principles of neutrality if something more were attempted. To our mind the United Nations effort in the Congo has failed not so much due to a doctrinaire attachment to principle, as to a misreading of the real standing, importance and popular character of the dissident movements in Katanga and Kasai...

Only the future will tell how the resolution adopted by the Security Council on 20-21 February 1961 will be implemented by the SG, and what its impact will be on the ultimate fate of the Congo. The minutiae and the complications which

abound there, the unceasing flux and paradox, serve to obscure fundamental facts of enormous simplicity--that the Congo, in this moment of time, is the locale for action in the long historical process which is reaching its climax in the twentieth century: the process of liberation of men, nations, and societies from political and economic serfdom.

In the Congo, the United Nations missed its rendezvous with destiny and brought shame upon itself, reaping the disillusion and mistrust of a large segment of the world's people and their governments. Dag Hammarskjold, the Secretary-General, is inextricably linked to this tragic fiasco. He joined or appeared to join forces with the West--the colonial powers and their allies. It is foolish, misleading, and dangerous to accept as gospel the theory purveyed by the press in certain countries that the Soviet Union is out to "get" Hammarskjold. The language of its representatives is rude and blunt but it should not be allowed to drown out the other voices, in Africa and Asia, raised against the SG, though more politely and indirectly. Unless he pulls off some extraordinary feat of redemption, Hammarskjold has lost all real effectiveness and will have to abdicate his place on the international scene. The hour is late, and the ghost of Lumumba will be hard indeed to exorcise.

6. General Conclusions

This has been an attempt to chart the path pursued by the SG in the Congo on a few significant issues--to unravel from the whole of the fabric the thread of his policy and the meanderings of his position as it shaped, and was shaped by, the tortuous pattern of events. The case is by no means closed. In the Congo events continue to succeed each other in dizzying confusion, and the ultimate verdict on Mr. Hammarskjold's role will have to await history. At this moment, however, there is no doubt whatever that United Nations intervention in the Congo has been a terrifying political and moral fiasco. As one pessimist said recently, Mr. Hammarskjold may have dug the grave of the United Nations in the soil of the Congo. Whatever his real motives, whatever his real sympathies, he has presented to the world a dismal spectacle--a harried UN Force floundering around hysterically, unable or unwilling to save a new African country from chaos, fragmentation, and fratricide.

Where did Mr. Hammarskjold fail?

(1) His basic doctrine of non-intervention was based upon an absurdity. He reversed logic completely so as to arrive at an interpretation of the Charter under which he refused assistance to the central Government of the Congo on the basis of Article 2 (7), although under that Article the central Government was the only party which had the right to charge that the Article had been violated. In imposing this abstract and irrelevant principle, he surrendered the basic objective of safeguarding the unity, territorial integrity, and political independence of the Republic of the Congo.

(2) He did not apply the doctrine of non-intervention impartially but waived it arbitrarily and on a selective basis. At times he invoked higher principles, such as human rights; at other times he violated non-intervention, admittedly, on the grounds of "emergency". But none of these variations operated in favour of the Lumumba central Government and none of them posed any serious obstacle to the Belgians or to the secessionists in Katanga.

(3) He considered that the UN mission of restoring law and order was unrelated to the Congo's constitutional framework and therefore took no action to prevent the overthrow of the legal Government or to restore constitutional authority.

(4) He established and maintained a policy which ignored the repeated warnings, criticisms, and recommendations of a substantial number of Afro-Asian countries--the very countries which had been the first to be called upon to serve and sacrifice in this UN action and which had given unstintingly despite their meager resources.

(5) He protected the Belgians at all stages, minimized or obfuscated the real extent and degree of Belgian intervention, and defended the return of the Belgian civilians despite the revelation by his own Special Representative of their unsavory role in the Congo, despite the violation of UN resolutions by Belgium, and despite the obstruction of the UN's operation, directly and indirectly, by these Belgians.

(6) He made no overt stand against acceptance by the General Assembly of the credentials of the Kasavubu delegation, although he might well have prevented such a decision by exerting his influence. In so doing, he gave the appearance of non-neutrality and of servility to a bloc of countries which included Belgium and other colonial powers.

Both on broad questions and on minor issues the SG took positions which permitted and facilitated the process of deterioration in the Congo. After eight months, the UN operation in the Congo as directed by the SG had failed completely to achieve the principal objectives of the resolutions adopted by the Security Council and the General Assembly--and the Congo had neither law-and-order, independence, unity, nor territorial integrity. The Belgians were still there in formidable numbers. And the name Hammarskjold had become a dirty word in certain parts of the world.

But the greatest blow of all was the humiliation suffered by the United Nations as a world organization which had plunged from the heights of prestige and moral authority to abysmal depths of confusion, ineffectuality, and division under the stewardship of its Secretary-General. If a man is to be judged by his works, Mr. Hammarskjold will fare no better with future historians than with his contemporary critics.

Summer, 1961

APPENDIX

Report of the Senate Intelligence Committee on the CIA Plot to Assassinate Lumumba

(Printed text will be supplied by the author)